



TOWNSHIP OF SPRING

BERKS COUNTY, PA

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BOARD OF SUPERVISORS MEETING MINUTES

February 27th, 2023

OPENING OF MEETING: Chairperson Stuck called a regular business meeting of the Board of Supervisors to order at 7:06 p.m. on Monday, February 27th, 2023 in the Public Meeting Room of the Township of Spring Administration Building, located at 2850 Windmill Road, Spring Township, Berks County, Pennsylvania.

ROLL CALL: Upon roll call, Supervisors Stuck, Kocher, Smith, Royer, and Wertz were present. Also present were: John Groller, Mary Rossi, Paul Darrah, Jen Bensinger, Jim Moll, Aaron Wozniak, Judy Houck, Chief Hackman, Daniel Becker, Esq., Gregory Crammer, Patrice Crammer, Michael Crammer, Rebecca Crammer, John Hoffert, Esq., Lori McMillan, Tom McMillan, Jamie McMillan, Matt McMillan, Greg Bogia, Dino DiMariano, Brynn Schaffer, Kelly Ryan, Stenographer. Chief Powell, Kim James, and K Cram attended via ZOOM.

AGENDA AMENDMENTS: None

OPEN TO THE FLOOR: Michael Crammer, 2180 Reading Boulevard, addressed the Board by reading a report he completed two (2) years ago when he was in second grade.

Michael read the following to the Supervisors:

"Dear Spring Township, There is a piece of land not far from my house that used to have a school on it. The building was destroyed years ago. Now there is open land with a small playground that was left behind. I have a vision! I see a park with lots of playground equipment like slides, a spiderweb to climb, swings for people in wheelchairs, and a pavilion for shade. The land is about 110 feet wide and about 850 feet long. It is flat and easily accessible. There is existing parking available. You can drive, walk, or bike to the park. There is plenty of space for a pavilion, pathways, a large playground, and trees. We should have safety lighting, wheelchair access, fitness equipment, benches, tables, and trash cans for litter.

"1,796 people live in West Lawn. 44% are children under the age of 18. Playgrounds and parks encourage physical activity, smiles, and joy. Joy is important for a child's mental health. We can ask local organizations for help funding the playground, like the Lions Club, Fire Companies, and local businesses. This would be a great place to meet with friends and play."

Michael Crammer

Ms. Crammer distributed a copy of the text, illustrations, and desired equipment to the Board. The Board commended Michael for his presentation. Michael confirmed for Mr. Stuck that the report, with his request to the Township, was a school project. Michael's mother, Patrice Crammer, said that Michael received an A+ on his project and said that he is very passionate about his vision.

ACTION ITEMS FOR APPROVAL: All items requiring action by the Board are listed below. Comments and discussion points are listed under the corresponding item.

1. Minutes from February 13th Meeting
2. List of Bills for Approval
 1. **General Fund - \$90,378.33**
 2. **Street Lighting Tax Fund- \$158.28**
 3. **Fire Hydrant Tax Fund- \$7,150.59**
 4. **Refuse Tax Fund- \$26,300.09**
 5. **Sewer District #3 Fund- \$ 33,381.48**
 6. **Fire Protection \$5,057.38**
3. DCNR Grant Application Resolution
Ms. Houck requested approval of the resolution page the Board received in their packets to complete the grant application for the Master Site Plan for Kline's Creek Park.
4. Mowing & Trimming Contract Extension
Mr. Darrah requested approval to extend the 2022 Mowing & Trimming Contract for 2023.
5. OSFC PEMA grant purchase, Structural Turnout Gear
Chief Hackman reported the fire department was awarded a grant for \$15,000.00 from the office of the State Fire Commissioner and requested approval to use the funds awarded to purchase three (3) complete sets of structural turnout gear from Reading Fire Equipment, Inc; per purchase order FR-2023-0022.
6. Helping Harvest Time Extension
Mr. Moll stated that the applicant had requested an extension to submit the Land Development Plans for expanding the existing parking facilities. The current expiration date is March 31st, the proposed extension end date is April 11, 2023.

Motion to approve Action Items #1-6 was made by Ms. Smith, seconded by Mr. Kocher. Upon roll call, Mr. Wertz abstained from voting on payment for Fire Fund #14 and Action Item #5. All Supervisors in attendance voted affirmatively. MOTION CARRIED

Mr. Stuck recessed the regular meeting at 7:15 p.m.

*Conditional Use Hearing
McMillan Minor Subdivision
138 Wheatfield Road, along the north side of Wheatfield Road, between
Gring's Hill Road and Chapel Hill Road.*

Solicitor Becker opened the hearing on the application of Thomas & Lori McMillan to divide a 40.5-acre parcel into two (2) lots.

Conditional Use Hearing- McMillan Minor Subdivision (Continued)

At the conclusion of the Conditional Use Hearing, the Board of Supervisors took the following action: Motion to approve the Conditional Use application for the McMillan Subdivision with the noted condition recommended by the Planning Commission; that the applicant shall not cause any earth disturbance beyond what is necessary to complete the improvements proposed on the plans was made by Mr. Royer, seconded by Ms. Smith. Upon roll call, all Supervisors in attendance voted affirmatively. MOTION CARRIED

TOWNSHIP DIRECTORS

A. Zoning/Building Codes Department -No Report

B. Parks and Recreation Department- No Report

C. Engineering/Planning Department

- 1) Helping Harvest Parking Variance Request- Mr. Moll reviewed the request from Helping Harvest to expand parking at 117 Morgan Drive. The Township's regulation states that off-street parking must be set back at least 10 feet from the right of way of any public street. Mr. Moll demonstrated, near the entrance drive on the corner of the parking lot, the triangular pink shaded area, which is proposed to be closer to the right-of-way line than the 10 ft that is specified, encroaching approximately 5ft. The Planning Commission has recommended that the Zoning Hearing Board grant the requested Zoning relief.

Motion to recommend that the Zoning Hearing Board grant the requested variance to Helping Harvest was made by Ms. Smith, seconded by Mr. Wertz. Upon roll call, all Supervisors in attendance voted affirmatively. MOTION CARRIED

- 2) Lilyfield Mini-Warehouse- Mr. Moll reviewed the multiple variance requests for a proposed 32-unit self-storage facility within the development of Lilyfield. The development primarily consists of residential properties, containing 90 residential and two commercial lots. The applicant is proposing a self-storage facility for 32 units; some units proposed are rather large for storage units to store vehicles, campers, boats, and other recreational vehicles. The smallest units would be 20'x26' and go up to 20'x56'. Mr. Moll explained that while the use for a self-storage facility permitted by right, the applicant has requested a number of variances from the Zoning Hearing Board.

The variance requests are:

1. Building setbacks, noting that there is a 50-ft side yard setback in the PBR District, and the applicant is proposing a 25-ft side yard setback.
2. A 75-foot non-residential setback is required from the property line of any residential use. The applicant is requesting that the setback be reduced to 25 feet.
3. Height limitations-This section limits the height of the storage units to twelve (12) feet. The applicant is requesting a permitted structure height of sixteen (16) feet in order to accommodate the proposed storage of larger vehicles.
4. 6-Foot fence requirement- Applicant proposes an automatic gate at the entrance drive, but does not intend to provide a fence around the facility.

TOWNSHIP DIRECTORS *(Continued)*

C. Engineering/Planning Department *(Continued)*

2) Lilyfield Mini-Warehouse *(Continued)*

Variance Requests *(Continued)*

5. Individual storage units are restricted to household goods, business equipment, supplies, and records. The applicant is questioning whether or not that would prohibit the parking of vehicles. Mr. Moll stated that based on discussions with the Zoning Officer, vehicles are restricted from being parked indoors at a self-storage facility.
6. The Plan identifies Unit 1 as an owner-occupied unit with an office; however, the applicant indicated that they do not intend to connect to the public sewer and water system, the office will be used sparingly, and they propose to use a portable toilet. Mr. Moll stated that after speaking to the Township's Codes Department, the requirement for the occupied office to connect to public water and sewer is a Building Code requirement rather than a Zoning requirement.

Mr. Moll stated the Planning Commission (PC) reviewed the variance requests and made the recommendation that the Zoning Hearing Board deny all the requested variances.

Although strongly recommending that the requested variances be denied, the PC made a second recommendation with a number of conditions if the Zoning Hearing Board were to grant some or all of the variances.

Mr. Stuck stated his concern with the proposed 25ft setback rather than 75ft required due to the homes next to the proposed site. Ms. Smith agreed with Mr. Stuck, along with the concern about parking vehicles so close to residents' homes.

Brynn Schaffer, Carta Engineering, stated that the applicant hired him to develop plans for the storage facility, saying that he understands it seems like a big ask for this kind of relief, believing that the issue is that when the site was proposed as a commercial lot, he does not think the 75-foot non-residential setback existed and that came later on in zoning. Mr. Schaffer stated that he believes the purpose of such a setback would be to create distance from a busy commercial building with customers coming in and out. Mr. Schaffer stated that the proposed use would be low-key regarding activity and traffic on the site. There would be lighting mounted on the buildings which with the position of the buildings next to the existing trees would shield light and activity from the residents to the north.

Mr. Moll confirmed for Mr. Stuck that the Township's zoning had recently changed; when Lilyfield came into the Township, it was all one district, PBR. The residential area that was developed that way has since been changed to Residential Zoning. The two (2) commercial lots remaining, including the proposed self-storage, remain as PBR.

Mr. Schaffer stated that he created a sketch plan for standard storage units as a comparison. Mr. Schaffer distributed the sketch plan to the Board, which has not been reviewed by Township staff. The sketch plan contained 108 standard storage units, 10x20, which comply with the 50ft and 75ft required setbacks.

TOWNSHIP DIRECTORS (Continued)

C. Engineering/Planning Department (Continued)

2) Lilyfield Mini-Warehouse (Continued)

Mr. Stuck suggested that the applicant could cut down on the number of units and go with the desired bigger units. Mr. Schaffer explained that one of the main issues is that with the larger units they are proposing, they want those to be so that you can drive through them, and that would require an interior parking area and pavement.

Mr. Schaffer stated the proposed plan sequesters and secludes the activity from the residents. Mr. Schaffer stated that the proposal does not need a fence around the site, as there would be garage doors for vehicles to come in, and each one would have its own security. Mr. Royer asked for clarification on security. Mr. Schaffer stated that it would be a digital lock with a passcode. Mr. DiMariano, the property owner, confirmed for Mr. Stuck that to deny access for non-payment, he would landscape around the area to restrict access.

Motion to recommend to the Zoning Hearing Board that they deny all requested variances requested for the proposed Lilyfield Mini-Warehouse Project was made by Mr. Royer, seconded by Ms. Smith. Upon roll call, All Supervisors in attendance voted affirmatively. MOTION CARRIED

Mr. Moll stated that as a reminder to the applicant, the Planning Commission and the Board of Supervisors recommendations are forwarded to the Zoning Hearing Board, which makes the final decision. The Zoning Hearing Board will hear the case next Wednesday, March 8th at 7:00 p.m.

D. Finance Department – The Board was provided with the information the Township received from the County for the communication costs. Mr. Groller stated that when the Township went through the budget process, the County could not provide the 2023 costs and said to budget a 10% increase. The 2023 cost for EMS, police, and fire dispatch services is \$345,829.33, a 6.5% increase, totaling \$21,000.00 more than in 2022.

E. Human Resources - No Report

F. Public Works - No Report

PUBLIC SAFETY

A. Police Department -Chief Powell submitted the monthly report for January. Chief Powell stated that the incident that occurred last Friday is still an ongoing investigation, so there is not much he can add that is not already public knowledge. Mr. Stuck stated he was thankful that the situation was not-violent. Mr. Royer thanked Chief Powell for the excellent response from the Spring Township Police Department. Chief Powell said the Department did a great job and thanked Lieutenant Brock and Lieutenant Troutman, who led the effort and did a fantastic job of getting everyone where they needed to be and communicating with the public.

B. Township of Spring Fire Rescue Services – No Report

C. West Side Regional EMA – No Report

SOLICITOR – No Report

OLD BUSINESS: – None

NEW BUSINESS: None

Mr. Stuck thanked Michael Crammer for coming to the meeting with his presentation, noting that the Crammers are raising a fine young man. Ms. Crammer confirmed for Mr. Stuck that she was in attendance at a previous meeting regarding a dog park. Ms. Houck confirmed for Mr. Stuck that it is too soon to comment on a dog park as the Township has not received the Comprehensive Plan Study results. Mr. Stuck mentioned that he wanted to make a note to be sure that the Township remembers to take advantage of the Lions Club's effort offered for a proposed dog park.

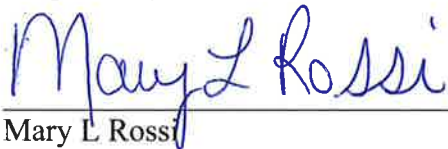
ANNOUNCEMENTS:

1. Upcoming Town Hall Meeting
2. An Executive Meeting was held before this meeting to discuss personnel issues and potential litigation.
3. Next Meeting will be held at 7:00 p.m. on Monday, March 13th, 2023.

ADJOURNMENT:

There being no further business, Chairperson Stuck adjourned the meeting at 7:55 p.m.

Respectfully submitted,



Mary L. Rossi
Township Secretary